

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-153—sHB 5418

Environment Committee

**AN ACT CONCERNING FINANCIAL LIABILITY FOR THE CLEAN-UP
OF CERTAIN HAZARDOUS WASTE**

SUMMARY: This act prohibits the Department of Energy and Environmental Protection (DEEP) commissioner from seeking to recover the costs and expenses DEEP incurs in containing, removing, or mitigating the human bodily effects (such as blood) of a person's serious injury or death on the state's land and water, from the person or his or her estate. The prohibition applies to any injury or death occurring on or after June 6, 2014.

By law, unchanged by the act, anyone who pollutes or contaminates land or water, or causes an emergency resulting from certain chemicals, products, or hazardous waste, that the commissioner considers a health or environmental threat and removes, is liable for the removal costs (CGS § 22a-451).

The act allows the commissioner to agree with anyone, or the estate of anyone, who was seriously injured or died, to pay less than DEEP's full (1) costs and expenses incurred to contain, remove, or mitigate the human bodily effects of the injury or death and (2) legal fees and court costs incurred in trying to recover the costs and expenses.

EFFECTIVE DATE: Upon passage

OLR Tracking: KLM:DC:PF:am